

REMARKS/ARGUMENTS:

Reconsideration and further examination of this application is respectfully requested. Claims 1-34 remain in the application.

A. Rejection of Claims Double Patenting

The Examiner has rejected claims 1-3, 5-10, 12-15, 17-22, and 24 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, and 10-20 of U.S. Patent No. 6,736,097. In response to the rejection, Applicant is submitting herewith a terminal disclaimer under 37 C.F.R. 1.321(c) disclaiming the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 and §173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,736,097. Withdrawal of the rejection under the judicially created doctrine of obviousness-type double patenting in respect to these claims is respectfully requested.

B. Allowable Subject Matter

The Examiner has allowed claims 25-34.

The Examiner has objected to claims 4, 11, 16, and 23 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant is submitting herewith the terminal disclaimer described above in Section A, removing the basis of rejection for independent claims 1, 9, 13, and 20 on which claims 4, 11, 16, and 23 depend. Applicant submits therefore that, in light of the terminal disclaimer, dependent claims 4, 11, 16, and 23 are now allowable, and withdrawal of the Examiner's objection to these claims is courteously requested.

CONCLUSION:

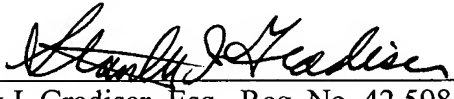
A bona-fide attempt has been made to place this application in condition for allowance. Each of the Examiner's basis for objection and rejection have been addressed and arguments presented to overcome such rejections and objections. The application is now believed to meet all statutory requirements and is thus believed to be in condition for allowance. The Examiner's early indication to that effect is, therefore, courteously solicited.

If a telephone conference would expedite allowance or resolve any additional questions, such a call is invited at the Examiner's convenience.

Applicant does not believe that any fees are due with this response. If this is not the case, please charge any required fees due, or credit any overpayment to, deposit account 50-0792.

Respectfully submitted,

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